
TITLE 847 STATE BOARD OF MASSAGE THERAPY

Notice of Intent to Adopt a Rule
LSA Document #21-507

Under [IC 4-22-2-23](#), the State Board of Massage Therapy intends to adopt a rule concerning the following:

OVERVIEW: Per [IC 25-21.8-4-6](#), the State Board of Massage Therapy (Board) is directed to adopt rules concerning massage therapy licensure and thereafter renew the person's license in accordance with [IC 25-21.8-6](#). The purpose of this rule is to allow for the process of transitioning the practice of massage therapy from certification to licensure, amend requirements for licensure, and define requirements for continuing education for massage therapists (MTs). The rule change will replace all references to certificate/certification/certified with license/licensure/licensed and eliminate outdated references. An individual will not be required to hold a license to practice massage therapy in Indiana until 183 days after the effective date of additional rules to be promulgated and adopted by the Board. Until the effective date of the rules adopted by the board for licensure, the Board shall continue to issue and renew massage therapy certifications. Amending rules is necessary to transition from certification to licensure. Pursuant to [IC 25-21.8-4-2](#), an individual who applies to practice as a massage therapist in Indiana must have successfully completed a massage therapy school or program which requires at least 625 hours of supervised classroom and hands-on instruction on massage therapy. Any application received before the law went into effect on July 1, 2019, will be evaluated based on the certification requirements in statute at the time the application was submitted. Therefore, any application that was received before July 1, 2019, will be reviewed to ensure the 500-hour requirement was met regardless of when the actual certification may ultimately be issued. After July 1, 2019, the law will be in effect and any application that is received after this time will be required to provide proof of completion of 625 hours in accordance with statute. The purpose of this rule is to require 625 hours of supervised classroom and hands-on instruction on massage therapy in the rule as it already is required in statute. The rule amends general requirements and changes application requirements regarding education and professional liability insurance. The rule establishes requirements for a license holder that advertises massage therapy. The Board is being held responsible for determining license holders' continued competency to practice massage therapy services in the state of Indiana with no comprehensible model to accomplish that goal. Prior to the statute change, if a certificate holder had allowed their license to expire for less than three (3) years, they would be able to reinstate their certificate after having paid a renewal and late fee. If a certificate holder had allowed their certificate to expire for greater than three (3) years, they would be able to reinstate their certificate after having paid a reinstatement fee. The simple truth is that a certificate holder was able to maintain certification without having ever practiced as long as they renewed their certificate quadrennially. There was no way of determining if a certificate holder was competent to practice. The proposed rule outlines and defines acceptable continuing education for MTs. Public comments are invited and may be directed to the State Board of Massage Therapy c/o Toby Snell, Board Director, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204 or by email to tobsnell@pla.in.gov. Statutory authority: [IC 25-21.8-2-9](#); [IC 25-21.8-3-1](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Toby Snell
Board Director, State Board of Massage Therapy
Professional Licensing Agency
Indiana Government Center South
402 West Washington Street, Room W072
Indianapolis, IN 46204
(317) 234-8817
tobsnell@pla.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Greg Lannan
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 601-8892
glannan@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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